



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8286

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Hector CRUZ-Sanchez,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 2, 2008, within the Southern District of California, defendant Hector CRUZ-Sanchez did knowingly and intentionally import approximately 172.28 kilograms (379.016 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

A handwritten signature in black ink, appearing to be "M. J. ...", written over a horizontal line.

Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3RD,
DAY OF April 2008.

A handwritten signature in black ink, appearing to be "Peter C. Lewis", written over a horizontal line.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Hector CRUZ-Sanchez

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes furnished
6 to U. S. Immigration and Customs Enforcement Special Agent Reuben McDowell.

7 On April 2, 2008, at approximately 1525 hours, Hector CRUZ-Sanchez entered the
8 United States at the Calexico, California, West Port of Entry. CRUZ was the sole occupant
9 and driver of a 1995 Ford Crown Victoria.

10 Customs and Border Officer A. Ramirez was manning primary. Officer Ramirez
11 received a negative oral Customs declaration from CRUZ. During his inspection, Officer
12 Ramirez asked CRUZ to open the trunk of the vehicle. Officer Ramirez opened the trunk
13 and observed numerous packages. Officer Ramirez escorted CRUZ to the secondary
14 inspection office. Officer Mendibles drove the vehicle to the secondary inspection area.
15 Officer Mendibles received a negative Customs declaration from CRUZ.

16 A subsequent inspection of the vehicle revealed twenty-four packages located in the
17 trunk. One of the packages was probed and a sample of a green leafy substance was
18 obtained, which field tested positive for marijuana. The twenty-four packages had a
19 combined net weight of approximately 172.28 kilograms (379.016 pounds) of marijuana.

20 CRUZ was advised of his rights per Miranda. CRUZ stated he understood his rights
21 and was willing to answer questions without an attorney present. MEDINA stated he was
22 to be paid \$1,500.00 for smuggling the marijuana into the United States.

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